

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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IN RE VITAMINS ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

Nutra-Blend, L.L.C., a Missouri Limited  
Liability Company,

Plaintiff,

vs.

F. Hoffman-Laroche Ltd.; Hoffman-Laroche Inc.;  
Roche Vitamins Inc.; Rhone-Poulenc SA; Rhone-  
Poulenc Animal Nutrition Inc.; Rhone-Poulenc  
Inc.; BASF AG; BASF Corporation; Chinook  
Group Ltd.; Chinook Group Inc.; Lonza AG;  
Lonza Inc.; DCV Inc.; Ducoa L.P.; Conagra Inc.;  
E.I. Dupont De Nemours & Co. Inc.; Daiichi  
Pharmaceuticals Co. Ltd.; Daiichi Fine Chemicals  
Inc.; Daiichi Pharmaceuticals Corporation Inc.;  
Eisai Co. Ltd.; Eisai Inc.; Takeda Chemical  
Industries Ltd.; Takeda Vitamin & Food USA  
Inc.; E. Merck; Merck KGaA; EM Industries;  
Degussa-Hüls AG; Degussa-Huls Inc.; Nepera  
Inc.; Reilly Chemicals SA; Reilly Industries Inc.;  
Tanabe Seiyaku Co. Ltd.; Tanabe USA Inc.;  
Sumitomo Chemical Co. Ltd.; Sumitomo Chemical  
America Inc.; Bioproducts Inc.; UCB SA; UCB  
Inc.; UCB Chemicals Corp. Inc.; Akzo Nobel NV;  
Akzo Nobel Inc.;

Defendants.  
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MDL No. 1285

Misc. No. 99-0197 (TFH)

NO. 99-3329 (W.D. Mo.)

**FILED**

**MAR 28 2001**

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

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**STIPULATION AND ORDER TO SUBSTITUTE “DEGUSSA AG”  
FOR ALL REFERENCES TO “DEGUSSA- HULS AG” IN PLAINTIFF  
NUTRA-BLEND, L.L.C.’S PLEADINGS AND OTHER DOCUMENTS**

WHEREAS, on December 8, 2000, the Court granted Nutra-Blend’s Motion to Amend its Complaint, *inter alia*, to add “Degussa-Huls AG” as a party defendant; and

WHEREAS, Degussa-Hüls AG has recently merged with SKW Trostberg AG to form a new entity with the name “Degussa AG”; and

WHEREAS, Nutra-Blend has been advised that in order to effectuate service of process of its Amended Complaint on Degussa AG in Germany pursuant to the Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil or Commercial Matters, the Complaint, Summons and Order to Appoint Special Process Server must accurately reflect defendant’s legal name; and

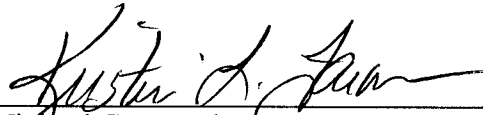
WHEREAS, defendant, through its counsel, is willing to stipulate to the substitution of “Degussa AG” for “Degussa-Huls AG”.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS, by and between Plaintiff Nutra-Blend, L.L.C. (“Nutra-Blend”) and Defendant Degussa AG, by and through their respective counsel:

1. “Degussa AG” is hereby substituted for “Degussa-Huls AG”.
2. All references to “Degussa-Huls AG” in Plaintiff’s pleadings and other documents in this case shall be deemed to refer to “Degussa AG”.
3. All defenses, including without limitation the lack of personal jurisdiction and insufficiency of service of process, are preserved.

Respectfully submitted this 26<sup>th</sup> day of March, 2001.

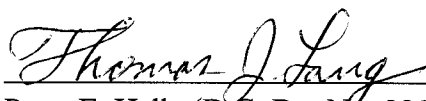
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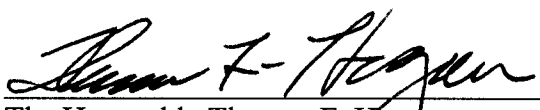
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Attorneys for Defendant Degussa AG  
(f/k/a Degussa-Hüls AG)

IT IS SO ORDERED:  
this 28 day of March, 2001.

  
The Honorable Thomas F. Hogan  
United States District Court Judge